

CLOSED, TYPE-I

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:09-cv-01862-RMC

PUBLIC EMPLOYEES FOR ENVIRONMENTAL
 RESPONSIBILITY v. U.S. DEPARTMENT OF THE
 INTERIOR OFFICE OF INSPECTOR GENERAL
 Assigned to: Judge Rosemary M. Collyer
 Cause: 05:552 Freedom of Information Act

Date Filed: 09/30/2009
 Date Terminated: 08/22/2011
 Jury Demand: None
 Nature of Suit: 895 Freedom of
 Information Act
 Jurisdiction: U.S. Government Defendant

Plaintiff

**PUBLIC EMPLOYEES FOR
 ENVIRONMENTAL
 RESPONSIBILITY**

represented by **Paula Naomi Dinerstein**
 PUBLIC EMPLOYEES FOR
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V.

Defendant

**U.S. DEPARTMENT OF THE
 INTERIOR OFFICE OF INSPECTOR
 GENERAL**

represented by **Mitchell P. Zeff**
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Date Filed	#	Docket Text
09/30/2009	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Filing fee \$ 350, receipt number 4616024333) filed by PUBLIC EMPLOYEES FOR ENVIRONMENTAL RESPONSIBILITY. (Attachments: # <u>1</u> Civil Cover Sheet)(rdj) (Entered: 10/01/2009)
09/30/2009		SUMMONS (3) Issued as to U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL, U.S. Attorney and U.S. Attorney General (rdj) (Entered: 10/01/2009)
11/19/2009	<u>2</u>	Consent MOTION for Extension of Time to File Answer to Plaintiff's Complaint by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Zeff, Mitchell) (Entered: 11/19/2009)
11/19/2009		MINUTE ORDER granting <u>2</u> Defendant's Consent Motion for Extension of Time. Defendant shall file its Answer or otherwise respond to the Complaint no later than January 19, 2010. Signed by Judge Rosemary M. Collyer on 11/19/09. (lcrmc2) (Entered: 11/19/2009)
11/19/2009		Set/Reset Deadlines/Hearings: Answer to complaint due by 1/19/2010. (cdw) (Entered: 11/20/2009)

01/15/2010	<u>3</u>	Consent MOTION for Extension of Time to <i>Respond to Plaintiff's Complaint</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 01/15/2010)
01/15/2010		MINUTE ORDER granting <u>3</u> Defendant's Motion for Extension of Time. Defendant shall file its Answer or otherwise respond to the Complaint no later than February 18, 2010. Signed by Judge Rosemary M. Collyer on 1/15/10. (lcrmc2) (Entered: 01/15/2010)
01/15/2010		Set/Reset Deadlines: Answer due by 2/18/2010. (cdw) (Entered: 01/20/2010)
02/18/2010	<u>4</u>	Consent MOTION for Extension of Time to <i>Respond to Plaintiff's Complaint</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 02/18/2010)
02/19/2010		MINUTE ORDER granting nunc pro tunc to February 18, 2010 <u>4</u> Defendant's Motion for Extension of Time. Defendant shall file its Answer or otherwise respond to the Complaint no later than February 25, 2010. Signed by Judge Rosemary M. Collyer on 2/19/10. (lcrmc2) (Entered: 02/19/2010)
02/19/2010		Set/Reset Deadlines/Hearings: Answer to complaint due by 2/25/2010. (cdw) (Entered: 02/22/2010)
02/25/2010	<u>5</u>	Consent MOTION for Extension of Time to <i>Respond to Plaintiff's Complaint</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 02/25/2010)
02/25/2010		MINUTE ORDER granting <u>5</u> Defendant's Motion for Extension of Time. Defendant shall file its Answer or otherwise respond to the Complaint no later than March 12, 2010. No more extensions will be granted. Signed by Judge Rosemary M. Collyer on 2/25/10. (lcrmc2) (Entered: 02/25/2010)
02/25/2010		Set/Reset Deadlines: Answer to complaint due by 3/12/2010. (cdw) (Entered: 02/26/2010)
03/12/2010	<u>6</u>	Consent MOTION for Extension of Time to <i>Respond to Plaintiff's Complaint</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 03/12/2010)
03/12/2010		MINUTE ORDER denying <u>6</u> Defendant's Motion for Extension of Time. By Minute Order dated February 25, 2010, the Court ruled that "No more extensions will be granted." Signed by Judge Rosemary M. Collyer on 3/12/10. (lcrmc2) (Entered: 03/12/2010)
03/15/2010	<u>7</u>	STRICKEN PURSUANT TO ORDER FILED 3/15/10.....ANSWER to <u>1</u> Complaint by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL.(Zeff, Mitchell) Modified on 3/16/2010 (rdj). (Entered: 03/15/2010)
03/15/2010		MINUTE ORDER striking <u>7</u> Defendant's Answer for failing to seek leave of Court to file the Answer late. Any forthcoming motion for leave of Court to file the Answer late must show good cause for why the Court should grant the motion. The Deputy Clerk is directed to schedule a status conference. Signed by Judge Rosemary M. Collyer on 3/15/10. (lcrmc2) (Entered: 03/15/2010)
03/16/2010	<u>8</u>	MOTION for Leave to File <i>Answer Out of Time</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 03/16/2010)
03/17/2010		MINUTE ORDER granting <u>8</u> Defendant's Motion for Leave to File Answer Out of Time. Signed by Judge Rosemary M. Collyer on 3/17/10. (lcrmc2) (Entered: 03/17/2010)
03/17/2010	<u>9</u>	ANSWER to <u>1</u> Complaint by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL.(rdj) (Entered: 03/17/2010)
03/26/2010		NOTICE of Hearing: A Status Conference is set for 4/1/2010 at 10:30 AM in Courtroom 2, Prettyman Building, 2nd Floor, before Judge Rosemary M. Collyer. (cdw) (Entered: 03/26/2010)

04/01/2010		MINUTE ORDER. Pursuant to the status conference held in open Court on April 1, 2010, every three weeks on a rolling basis Defendant shall produce to Plaintiff those responsive documents, or portions thereof, that the agency's FOIA officer has cleared for release. A further status conference is scheduled for May 14, 2010 at 11:45 a.m. Signed by Judge Rosemary M. Collyer on 4/1/10. (lcrmc2) (Entered: 04/01/2010)
04/01/2010		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 4/1/2010. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 04/02/2010)
05/14/2010		MINUTE ORDER. Pursuant to the status conference held in open Court on May 14, 2010, the Defendant's motion for an extension of time is granted. Defendant shall complete its production of responsive documents to the Plaintiff by no later than July 14, 2010. Defendant shall continue to produce every three weeks on a rolling basis any responsive documents, or portions thereof, that have been cleared by the agency's FOIA officer. A further status conference is scheduled for June 23, 2010 at 4:30 p.m. Signed by Judge Rosemary M. Collyer on 5/14/2010. (lcrmc2) (Entered: 05/14/2010)
05/14/2010		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 5/14/2010. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 05/17/2010)
06/23/2010		MINUTE ORDER scheduling a status conference for August 20, 2010 at 11 am. Signed by Judge Rosemary M. Collyer on 6/23/2010. (lcrmc2) (Entered: 06/23/2010)
06/23/2010		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 6/23/2010. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 06/23/2010)
06/23/2010		Set/Reset Deadlines/Hearings: Status Conference set for 8/20/2010 at 11:00 AM in Courtroom 2 before Judge Rosemary M. Collyer. (cdw) (Entered: 06/25/2010)
08/19/2010	<u>10</u>	Consent MOTION to Continue <i>Status Conference</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 08/19/2010)
08/19/2010		MINUTE ORDER granting <u>10</u> Defendant's Consent Motion to Continue the Status Conference scheduled for August 20, 2010. The Status Conference is hereby CONTINUED, to be reset by the Deputy Clerk. Signed by Judge Rosemary M. Collyer on 8/19/2010. (lcrmc2) (Entered: 08/19/2010)
09/07/2010	11	NOTICE of Hearing: Status Conference set for 9/23/2010 at 4:30 PM in Courtroom 2 before Judge Rosemary M. Collyer. (cdw) (Entered: 09/07/2010)
09/23/2010		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 9/23/2010. A further Status Conference is set for 11/18/2010 at 10:15 AM in Courtroom 2 before Judge Rosemary M. Collyer. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 09/24/2010)
11/18/2010		MINUTE ORDER. Pursuant to the status conference held on November 18, 2010, Defendant shall file a dispositive motion by no later than January 28, 2011. Plaintiff shall oppose by no later than February 18, 2011. Defendant may file a reply by March 4, 2011. Signed by Judge Rosemary M. Collyer on 11/18/2010. (lcrmc2) (Entered: 11/18/2010)
11/18/2010		Minute Entry for proceedings held before Judge Rosemary M. Collyer: Status Conference held on 11/18/2010. (Court Reporter: Crystal Pilgrim) (cdw) (Entered: 11/22/2010)
11/18/2010		Set/Reset Deadlines/Hearings: Dispositive Motion due by 1/28/2011. Response to Dispositive Motion due by 2/18/2011. Reply to Dispositive Motion due by 3/4/2011. (cdw) (Entered: 11/23/2010)
01/25/2011	<u>12</u>	Consent MOTION for Order to <i>Modify Briefing Schedule</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 01/25/2011)

01/25/2011		MINUTE ORDER granting <u>12</u> Defendant's consent motion to modify the dispositive motion briefing schedule. The briefing schedule is modified as follows: Defendant's dispositive motion shall be filed by February 28, 2011. Plaintiff shall file an opposition by March 21, 2011. Defendant may reply by April 4, 2011. Signed by Judge Rosemary M. Collyer on 1/25/2011. (lcrmc2) (Entered: 01/25/2011)
01/25/2011		Set/Reset Deadlines/Hearings: Defendant's Dispositive Motion due by 2/28/2011. Response to Dispositive Motion due by 3/21/2011. Reply to Dispositive Motion due by 4/4/2011. (cdw) (Entered: 01/27/2011)
02/28/2011	<u>13</u>	Consent MOTION for Order <i>to Modify Briefing Schedule</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 02/28/2011)
02/28/2011		MINUTE ORDER granting <u>13</u> Defendant's motion to modify the briefing schedule. The briefing schedule is modified as follows: Defendant's dispositive motion shall be filed by March 30, 2011. Plaintiff shall file an opposition by April 20, 2011. Defendant may reply by May 4, 2011. Signed by Judge Rosemary M. Collyer on 2/28/2011. (lcrmc2) (Entered: 02/28/2011)
02/28/2011		Set/Reset Deadlines/Hearings: Defendant's Dispositive Motion due by 3/30/2011. Plaintiff's Response to Dispositive Motion due by 4/20/2011. Defendant's Reply to Dispositive Motion due by 5/4/2011. (cdw) (Entered: 03/01/2011)
03/30/2011	<u>14</u>	MOTION for Order <i>to Revise Briefing Schedule</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 03/30/2011)
03/31/2011		MINUTE ORDER granting <u>14</u> Defendant's motion to modify the briefing schedule nunc pro tunc to March 30, 2011. The briefing schedule is modified as follows: Defendant's dispositive motion shall be filed by April 29, 2011. Plaintiff shall file an opposition by May 20, 2011. Defendant may reply by June 3, 2011. Signed by Judge Rosemary M. Collyer on 3/31/2011. (lcrmc2) (Entered: 03/31/2011)
03/31/2011		Set/Reset Deadlines/Hearings: Defendant's Dispositive Motion due by 4/29/2011. Response to Dispositive Motion due by 5/20/2011. Reply to Dispositive Motion due by 6/3/2011. (cdw) (Entered: 04/01/2011)
04/29/2011	<u>15</u>	Consent MOTION for Order <i>to Modify Briefing Schedule</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 04/29/2011)
05/02/2011		MINUTE ORDER. Parties' joint motion to modify the briefing schedule <u>15</u> is GRANTED. As the parties themselves propose, Defendant's dispositive motion shall be filed no later than May 31, 2011. Plaintiff shall file an opposition by June 21, 2011. Defendant may file a reply by July 21, 2011. In light of the history of this case, in which ten extensions of time have been obtained, no further extensions on the briefing schedule shall be granted. Signed by Judge Rosemary M. Collyer on 5/2/2011. (lcrmc2) (Entered: 05/02/2011)
05/02/2011		Set/Reset Deadlines/Hearings: Defendant's Dispositive Motion due by 5/31/2011. Response to Dispositive Motion due by 6/21/2011. Reply to Dispositive Motion due by 7/21/2011. (cdw) (Entered: 05/04/2011)
05/27/2011	<u>16</u>	MOTION for Extension of Time to <i>File Summary Judgment Brief</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 05/27/2011)
05/27/2011		MINUTE ORDER denying <u>16</u> Defendant's motion for an extension of time. See Court's Minute Order of May 2, 2011. Signed by Judge Rosemary M. Collyer on 5/27/2011. (lcrmc2) (Entered: 05/27/2011)
05/31/2011	<u>17</u>	MOTION for Summary Judgment by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL (Attachments: # <u>1</u> Exhibit, # <u>2</u> Text of Proposed Order)(Zeff, Mitchell) (Entered: 05/31/2011)

08/04/2011		ORDER TO SHOW CAUSE. By no later than August 19, 2011, Plaintiff shall SHOW CAUSE why Defendant's Motion for Summary Judgment <u>17</u> should not be granted as conceded per Local Rule 7(b). Signed by Judge Rosemary M. Collyer on 8/4/2011. (lcrmc2) (Entered: 08/04/2011)
08/05/2011		Set/Reset Deadlines: Response to Show Cause due by 8/19/2011. (tth) (Entered: 08/05/2011)
08/18/2011	<u>18</u>	STIPULATION <i>of Settlement and Order of Dismissal</i> by U.S. DEPARTMENT OF THE INTERIOR OFFICE OF INSPECTOR GENERAL. (Zeff, Mitchell) (Entered: 08/18/2011)
08/22/2011	<u>19</u>	STIPULATION OF SETTLEMENT AND ORDER OF DIMISSAL. Signed by Judge Rosemary M. Collyer on August 19, 2011. (cdw) (Entered: 08/22/2011)